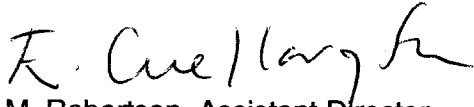


Memorandum



Date: July 13, 2004

To: Diane O'Quinn-Williams
Department of Planning & Zoning

From: 
Alyce M. Robertson, Assistant Director
Environmental Resources Management

Subject: C-15 #Z2002000305-2nd Revision
H.R. Realty & Investments, Inc.
NS of SW 232nd Street and E/O theoretical SW 107th Avenue
DBC from EU-M to RU-3M and RU-1M(a), UU to Permit Lake Filling and Excavation
(EU-M) (60 Ac.)
17-56-40

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of the Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage plans shall provide for full on-site retention of the stormwater runoff of a 5-year storm event. Pollution Control devices shall be required at all drainage inlet structures.

An Individual General Environmental Resource Permit from the South Florida Water Management District (SFWMD) will be required for the construction and operation of a surface water management

system. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

The canal adjacent to the subject property, C-1, is owned and regulated by the South Florida Water Management District (SFWMD). Therefore, approval from the SFWMD will be required. The applicant is advised to contact the Water Control Section of DERM in order to obtain additional information concerning these requirements.

Positive drainage systems and overland stormwater runoff into any proposed or existing lake and the adjacent canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any existing or proposed lake and the adjacent canal in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake and into a canal. Any work within the canal or its right-of-way will require review and permits from the South Florida Water Management District.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Tree Preservation:

Section 24-60 of the Code requires the preservation of tree resources. A Miami-Dade County tree removal permit is required prior to the removal or relocation of any trees. The applicant is advised to contact DERM staff for permitting procedures and requirements.

Coastal Wetlands:

The DERM Coastal Resources Section staff does not believe that wetlands containing halophytic vegetation, including mangroves, are located at the site. However, the applicant is advised that if halophytic vegetation is present at the site, then a Miami-Dade County Class I Permit is required for any work (including any dredging or filling necessary to develop and/or gain access to any portion of the site) within these types of wetlands, pursuant to Section 24-58(1) of the Code.

In order for dredging and filling work to occur in coastal wetland areas, the proposed project must be consistent with one of the six evaluation criteria in Section 24-58.3(B) of the Code of Miami-Dade County. If the proposed work is not consistent with one of these criteria, the applicant must obtain a variance from the Environmental Quality Control Board.

In addition, the applicant is further advised that pursuant to Section 24-27.1, Miami-Dade County Code, species listed under Policy 81 of the Conservation Element of the Comprehensive Master Development Plan may not be sold, propagated, or planted. All exotic, invasive vegetation present at the site shall be removed prior to construction and may not be relocated, sold, or transported off site pursuant to the aforementioned Ordinance. Species listed on the Prohibited and Controlled Species List may not be planted at this location.

Freshwater Wetlands:

The subject property is located in the Southwest Biscayne Bay Wetland Basin, which is a jurisdictional freshwater wetland area according to the Environmental Protection Ordinance of Miami-Dade County,

Florida. A Class IV Wetland Permit will be required prior to any work in jurisdictional wetlands. Contact the Wetlands and Forest Resources Section of DERM at (305) 372-6585 for additional information.

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181) the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may also be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review. Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z
Ron Connally, Zoning Hearings-P&Z
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z